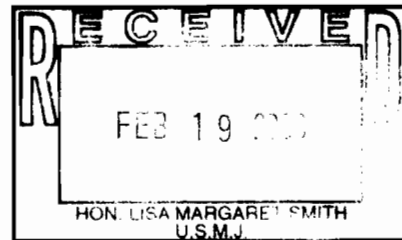


OFFICE OF THE DISTRICT ATTORNEY  
WESTCHESTER COUNTY

WESTCHESTER COUNTY COURTHOUSE  
111 Dr. Martin Luther King, Jr. Blvd.  
White Plains, New York 10601  
(914) 995-2000



JANET DiFIORE  
DISTRICT ATTORNEY



RECEIVED

February 15, 2008

Hon. Lisa M. Smith  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

Re: Aurel Smith v. Artus, Superintendent  
07 Civ. 9261 (SCR) (LMS)

Your Honor:

I am writing this letter to request an extension for filing respondent's answer, which is due by February 29, 2008. Due to numerous other matters, including two previously assigned direct appeals and several motions, I do not believe that I can adequately respond to the petition by the current return date. In addition, I will be out of the country for two weeks at the end of March. Accordingly, I respectfully request that respondent's time to answer be enlarged to April 11, 2008.

One prior request for such relief has previously been granted.

Sincerely,

JANET DiFIORE  
District Attorney

Hae Jin Lfu  
Assistant District Attorney

Aurel Smith  
02 A 6279  
Upstate Correctional Facility  
Box 2001  
Malone, New York 12953

Deemed letter-motion. Motion granted. No further extensions without a supporting affidavit.

SO ORDERED  
Lisa Margaret Smith  
USMS e/le  
SWSO